



Attorney Docket No. 5246 P 003
(227376)

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:
SEILER et al.

Application No. 09/919,594

Filing Date: July 31, 2004

For: "Method and System for Information
Communication Between Positionees and
Positionors"

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) Examiner: Dodds, Harold E.
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) Group Art Unit: 2177
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06/29/2005 SSITHIB1 00000001 230280 09919594

01 FC:1463 70.00 DA 130.00 OP

Mail Stop Petition
Commissioner For Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**PETITION UNDER 37 C.F.R. § 1.47(b) TO SUBMIT DECLARATION
ON BEHALF OF INVENTORS WHO CANNOT BE FOUND**

Dear Sir:

In accordance with 37 C.F.R. §§ 1.131 and 1.47(b), Petitioner respectfully requests entry of the two (2) Declarations submitted pursuant to 37 C.F.R. § 1.131 on September 20, 2004. The two (2) Declarations submitted on September 20, 2004, sought to swear behind four (4) references cited by the Examiner in an Office Action dated March 19, 2004. The first Declaration submitted on September 20, 2004, contained less than all of the signatures of the joint inventors. The second Declaration submitted on September 20, 2004, contained the signature of a representative of the assignee of all rights to the above-referenced application, the Illinois Department of Employment Security. Pursuant to 37 C.F.R. § 1.131 and MPEP 715.04, the assignee or other party in interest may make a § 1.131 declaration where it is not possible to produce the declaration of the inventor.

The basis for this Petition is that not all of the numerous joint inventors could be located to execute the § 1.131 Declaration on September 20, 2004. Notwithstanding the Illinois

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02 FC:1464 -130.00 OP

Department of Employment Security, and their attorneys,' diligent efforts, only twelve of the fifty-two joint inventors could be located to execute the subject Declaration.

It was impossible to obtain signatures from the remainder of the joint inventors. Joint inventor Raymond Jackson is deceased. The other joint inventors for whom no signatures were submitted were unreachable even after extensive effort by the undersigned attorney, James P. Muraff. These efforts were conducted and coordinated by Mr. Muraff, and utilized the services of attorneys Nicholas C. Pruhs, Reg. No. 52,136, and Thomas Burton, Reg. No. 47,464. In addition, the employers of the joint inventors at the time of invention were also utilized in attempting to obtain these declarations. The employers of the inventors during the relevant period were the assignee of the present application, the Illinois Department of Employment Security, and an outside contractor, Chicago Systems Group. Both of these employers cooperated in attempting to obtain all of the signatures from the joint inventors, but these extensive efforts were only partially successful. However, pursuant to 37 CFR § 1.131 and MPEP 715.04, the declaration of the assignee in conjunction with the declarations of less than all of the joint inventors is sufficient.

The present Petition is necessary to preserve the rights of the Illinois Department of Employment Security and to prevent irreparable harm to the Illinois Department of Employment Security. Thus, the Illinois Department of Employment Security, the assignee of the present application, hereby requests that the two (2) Declarations made under 37 C.F.R. § 1.131 on September 20, 2004, be accepted without the signatures of each of the inventors.

A check in the amount of \$130.00, as required under 37 C.F.R. § 1.17(h), is submitted herewith.

Upon information and belief, the last known address of Margaret Seiler is 818 Sharon Drive, Dekalb, Illinois 60115. Upon information and belief, the last known address of Daniel Ambrecht is 14019 S. Kilpatrick, Crestwood, Illinois 60445. Upon information and belief, the last known address of William Backs is 2730 Simpson Street, Evanston, Illinois 60201. Upon information and belief, the last known address of William Bailey is 3751 N. Halsted Street # 220, Chicago, Illinois 60613. Upon information and belief, the last known address of Andrew Bennett is 617 W. Dorset Drive, Wheaton, Illinois 60187. Upon information and belief, the last known address of Larry Books is 1104 Airport, Mt. Vernon, Illinois 60115. Upon information and belief, the last known address of James Bremenkamp is 944 W. Grace, Chicago, Illinois

60614. Upon information and belief, the last known address of Ten Chu is 1578 Burning Bush Lane, Hoffman Estates, Illinois 60195. Upon information and belief, the last known address of Mitchell Daniels is 10701 Cass Road, Buffalo, Illinois 62515. Upon information and belief, the last known address of Rory Dickinson is 4238-102 Bloomington, Arlington Heights, Illinois 60004. Upon information and belief, the last known address of Martin Donnelly, 392 Cottage Hill, Elmhurst, Illinois 60126. Upon information and belief, the last known address of Ann Fish is 2717 N. Kenmore, Chicago, Illinois 60614. Upon information and belief, the last known address of Sandra Gates is 1712 7th Avenue, Maywood, Illinois 60153. Upon information and belief, the last known address of Sandra Grepling is 1 S. 269 Ardmore, Villa Park, Illinois 60181. Upon information and belief, the last known address of Michael Gulino is 9636 S. 46th Avenue, Oak Lawn, Illinois 60453. Upon information and belief, the last known address of William Harrison is 3700 Tyler Street, Gary, Indiana 46409. Upon information and belief, the last known address of Raymond Jackson is 1100 22nd Avenue, Bellwood, Illinois 60104. Upon information and belief, the last known address of Simon Jin is 3600 N. Lake Shore Drive #314, Chicago, Illinois 60613. Upon information and belief, the last known address of Christopher Jones is 7350 Carol Street, Apt. 2, Niles, Illinois 60714. Upon information and belief, the last known address of Gunter Kalogridis is 555 W. Madison #4812, Chicago, Illinois 60661. Upon information and belief, the last known address of Saptarshi Katwata is 25 NW Pt., Suite 600, Elk Grove Village, Illinois 60007. Upon information and belief, the last known address of Breck Kuhnke is 1910 W. Greenleaf, Chicago, Illinois 60626. Upon information and belief, the last known address of Louis Lembcke is 344 S. 6th Avenue, LaGrange, Illinois 60525. Upon information and belief, the last known address of Thomas Lepore is 308 Walnut, Elmhurst, Illinois 60126. Upon information and belief, the last known address of Angel Li is 3254 N. Racine Avenue, Chicago, Illinois 60657. Upon information and belief, the last known address of Gary Mayer is 1521 Countryside Drive, Buffalo Grove, Illinois 60089. Upon information and belief, the last known address of Joseph Mindock is 981 Lakeview Court, Oswego, Illinois 60543. Upon information and belief, the last known address of Karl Moulton is P.O. Box 252, Peoria, Illinois 61650. Upon information and belief, the last known address of Brent Peebles is 1752 W. Cornelia, Chicago, Illinois 60657. Upon information and belief, the last known address of Denise Pike is 1712 Frost Lane, Naperville, Illinois 60564. Upon information and belief, the last known address of Andrzej Placzek is 8417 W. Bryn Mawr 3S, Chicago, Illinois 60631.

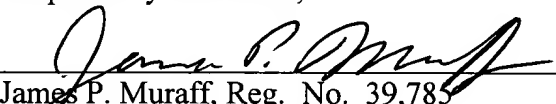
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Upon information and belief, the last known address of Mark Schlosser is 226 N. Clinton, #209, Chicago, Illinois 60661. Upon information and belief, the last known address of Susan Schumerth is 2645 N. Southport #2, Chicago, Illinois 60614. Upon information and belief, the last known address of Scott Sellers is 2645 N. Southport #2, Chicago, Illinois 60614. Upon information and belief, the last known address of William Vonderhaar is 2024 N. Racine, Chicago, Illinois 60614. Upon information and belief, the last known address of M. John Way is 1007 Sunset, Wheaton, Illinois 60187. Upon information and belief, the last known address of Lisa Winfrey is 411 Maude, Joliet, Illinois 60433. Upon information and belief, the last known address of Carol Yanowitz is 2132 N. Hoyne, Chicago, Illinois 60647. Upon information and belief, the last known address of Youan Zeng is 9052 Federal Ct. Apt. 1C, Des Plaines, Illinois 60016. Upon information and belief, the last known address of Mark Zgarrick is 1626 Madison Street, Evanston, Illinois 60202.

Respectfully submitted,

Date: June 24, 2005

By:


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